

IN THE HAMILTON CIRCUIT SUPERIOR COURTS

STATE OF INDIANA)

) SS: SEP 22 2015

COUNTY OF HAMILTON)

STATE OF INDIANA

Sammy Bait
CLERK OF THE
HAMILTON SUPERIOR COURT

CAUSE NO. 29

29D04-1509

F168465

www.hamiltoncounty.in.gov/477

INFORMATION FOR:

VS.

JANET K SHAW
12735 E 281st St
Arcadia, IN 46030

OLN: 8932-74-1669 Indiana
DOB: 9/26/1961
SSN: XXX-XX-1496

PHYSICAL DESCRIPTION

Race: W Sex: Female
Height: 5'05" Weight: 115
Eyes: Green Hair: Blond or Strawberry

Count 1:

Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 2:

Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 3:

Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 4:

Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 5:

Operating a Vehicle While Intoxicated

29D04-1509-F6-008465
PCRINF
Information Filed
272282



Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 6:
Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 7:
Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 8:
Operating a Vehicle While Intoxicated
Endangering a Person With a Passenger
Less Than 18 Years of Age
I.C. 9-30-5-2(a) & (b) and I.C.
9-30-5-3(a)(2)
a Level 6 Felony

Count 9:
Leaving the Scene of an Accident with
Bodily Injury
I.C. 9-26-1-1.1(a)(1) and I.C.
9-26-1-1.1(b)(1)
a Class A Misdemeanor

Count 10:
Leaving the Scene of an Accident with
Bodily Injury
I.C. 9-26-1-1.1(a)(1) and I.C.
9-26-1-1.1(b)(1)
a Class A Misdemeanor

The fact that a defendant has been charged with a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty. www.hamiltoncounty.in.gov/477

Count 11:

Leaving the Scene of an Accident with
Bodily Injury

I.C. 9-26-1-1.1(a)(1) and I.C.

9-26-1-1.1(b)(1)

a Class A Misdemeanor

Count 12:

Leaving the Scene of an Accident with
Bodily Injury

I.C. 9-26-1-1.1(a)(1) and I.C.

9-26-1-1.1(b)(1)

a Class A Misdemeanor

Count 13:

Leaving the Scene of an Accident with
Bodily Injury

I.C. 9-26-1-1.1(a)(1) and I.C.

9-26-1-1.1(b)(1)

a Class A Misdemeanor

Count 14:

Leaving the Scene of an Accident with
Bodily Injury

I.C. 9-26-1-1.1(a)(1) and I.C.

9-26-1-1.1(b)(1)

a Class A Misdemeanor

Count 15:

Leaving the Scene of an Accident with
Bodily Injury

I.C. 9-26-1-1.1(a)(1) and I.C.

9-26-1-1.1(b)(1)

a Class A Misdemeanor

Count 16:

Possession of a Controlled Substance

I.C. 35-48-4-7(a)

a Class A Misdemeanor

Count 17:

Possession of a Controlled Substance

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I.C. 35-48-4-7(a)
a Class A Misdemeanor

Count 18:
Leaving the Scene of an Accident
I.C. 9-26-1-1.1(a)(4) and I.C. 9-26-1-1.1(b)
a Class B Misdemeanor

BE IT REMEMBERED,

That on this day comes Roger W. Kuba, who being duly sworn upon his oath, says that in the County of Hamilton, State of Indiana,

Count 1: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Ava Bryant, a person less than 18 years of age, as a passenger

Count 2: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Allyson Burton, a person less than 18 years of age, as a passenger

Count 3: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Aliyah Dorsey, a person less than 18 years of age, as a passenger

Count 4: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Seth Harris, a person less than 18 years of age, as a passenger

Count 5: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Taylor Miller, a person less than 18 years of age, as a passenger

Count 6: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Michael Overton, a person less than 18 years of age, as a passenger

Count 7: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Abbygaile Ross, a person less than 18 years of age, as a passenger

Count 8: on or about September 21, 2015 Janet K Shaw, being at least twenty-one (21) years of age, did operate a vehicle while intoxicated in such a manner that a person was endangered and had Haley Lipps or Madeline Humphrey or Alyssa Goodpaster or Zach Clark or Grace Roberts or Kyle Myers or Damien Abbott or Caleb McKinney or Kaelin Zinkle or Lexy Woodruff or Karly Dean or Joe Klingler or Austun Goodpaster or Corbin Lawson or Jon Klingler or Lane Johnson, a person less than 18 years of age, as a passenger

Count 9: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Ava Bryant, to-wit: pain

Count 10: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Michael Overton, to-wit: pain

Count 11: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Taylor Miller, to-wit: pain

Count 12: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Seth Harris, to-wit: pain

Count 13: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Allyson Burton, to-wit: pain

Count 14: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Abbygaile Ross, to-wit: pain

Count 15: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, did knowingly or intentionally fail to immediately stop the vehicle at the scene of said accident, or as close as possible thereto, and the said accident caused bodily injury to Aliyah Dorsey, to-wit: pain

Count 16: on or about September 21, 2015 Janet K Shaw did knowingly possess Hydrocodone, a controlled substance (pure or adulterated) listed in Schedule II

Count 17: on or about September 21, 2015 Janet K Shaw did knowingly possess Diazepam, a controlled substance (pure or adulterated) listed in Schedule IV

Count 18: on or about September 21, 2015 Janet K Shaw , being the driver of a vehicle that was involved in an accident, involving a collision with a guy-wire being the property of Duke Energy, did knowingly fail to stop the vehicle at the scene of said accident, or as close as possible thereto

All of which is contrary to the form of the statute of such case made and provided, and against the peace and dignity of the State of Indiana.

I affirm, under penalty of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true.


Roger W. Kuba

Approved by me this 22nd day of September 2015.


Deputy Prosecuting Attorney

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www.in.gov/477

IN THE HAMILTON CIRCUIT/
HAMILTON SUPERIOR COURT
STATE OF INDIANA

STATE OF INDIANA

CASE NUMBER: 2015-25167

V.

CAUSE NO. _____

Janet K. Shaw

AFFIDAVIT FOR PROBABLE CAUSE

Comes now Deputy Jimmy Pharis, who hereby swears upon his oath, deposes and says:

1. I am a Law Enforcement Officer with the Hamilton County Sheriff's Office.
2. I am filing this affidavit for probable cause in support of the charges of Leaving the scene of a property damage accident causing injury, reckless driving, and possession of controlled substance, against Janet K. Shaw, a White/female, DOB: 9/26/1961, height 5'5", weight 115 lbs, with Green hair and Blond eyes.
3. On Monday, September 21, 2015, I came into contact with the accused in the following manner:

At approximately 7:31a.m. I was dispatched to 8690 E 286th St, Atlanta, Hamilton County, Indiana in reference to a hit and run crash involving a school bus. It was determined that the accused, Janet K Shaw, was the operator of Hamilton Heights School Corporation Bus #8, which was involved in a hit and run accident. Janet K. Shaw is charged with the following:

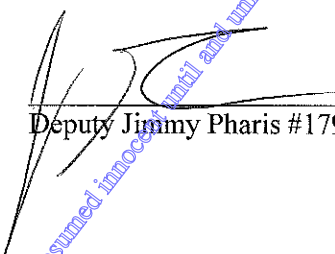
4. Leaving the scene of a property damage accident, to wit: The accused drove off the roadway striking a utility pole guy-wire causing damage to the utility pole support and wires, all of which are owned by Duke Energy. Hamilton Heights School Cooperation bus #8 was also damaged as a result of the accused driving off the roadway. The accused drove back onto the roadway and continued her route. The accused did not notify the police or her supervisor of the accident.
5. Leaving the scene of a property damage accident resulting in injury, to wit: The accused was transporting 22 students at the time of the crash. Seven of the juvenile passengers complained to the school nurse of headaches and other minor injuries: Ava Bryant, Michael Overton, Taylor Miller, Seth Harris, Allyson Burtron, Abby Ross, and Aliyah Dorsey – all subject listed are juvenile students attending either Heights Middle School or Heights High School.
6. Reckless Driving, to wit: The accused was driving to fast for the road conditions and was unable to safely navigate the school bus around the curve due to her unreasonably high speed for that area.
7. Possession of a Controlled Substance, to wit: While at the Jail I did an inventory of the purse of the accused at which point I located three different medication bottles inside. The first medication bottle contained one (1) Valium 5mg tablet that was prescribed to Mikayla Shaw, Ms. Shaw's adult daughter. The prescription was filled on 6/2/2014. The second was a Soma bottle, which was prescribed to the accused. The third medication bottle contained ten (10) Hydrocodone 7.5mg/500mg tablets and half of a

Hydrocodone 7.5mg/325mg tablet. Hydrocodone 7.5mg/325mg was prescribed to Ms. Shaw on 6/30/2015 and filled with 90 tablets. The Hydrocodone bottle was only supposed to contain 7.5mg/325mg tablets. Ms. Shaw stated she took two (2) of the 7.5mg/500mg last night between 6-7p.m. and one (1) Soma 350mg tablet because her back hurt after she mowed the grass. Ms. Shaw stated she did not take the Valium 5mg prescribed to her daughter that was in her purse. The accused stated she must have forgotten to take the Valium out of her purse. Ms. Shaw stated that the 7.5mg/500mg might have been dumped in from another bottle, however, an INSPECT report does not show any prescription for Hydrocodone 7.5mg/500mg.

Except as specifically noted, all of the above events occurred in Hamilton County, Indiana.

I swear under the penalties of perjury as specified by IC 35-44.1-2-1, that the foregoing representations are true.

Date: 9/21/15


Deputy Jimmy Pharis #1791

The fact that a defendant has been charged with a crime is merely an accusation, and the defendant is presumed innocent until and unless proven guilty.

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STATE OF INDIANA IN THE Superior COURT COUNTY OF Hamilton SS:State of Indiana
vs.COURT CAUSE NUMBER _____ AGENCY CASE NUMBER 2015-25167

Janet K. Shaw

AFFIDAVIT FOR PROBABLE CAUSE

I, Jimmy Pharis, a law enforcement officer with the (agency) Hamilton County Sheriff's Office, affirms that on (date) 09 / 21 / 2015, at approximately 07:31 ☒ am ☐ pm the accused, (first name) Janet (middle initial) K (last name) Shaw, a ☐ Male, ☒ Female, (d/o/b) 09 / 26 / 1961, (DL number or last four digits of SSN) 8932-74-1669, (license type) CDL, was observed in (location) Leonard Rd and 286th St Atlanta (county) Hamilton County, Indiana operating a (vehicle description, include CMV and Hazmat indicator): Yellow Hamilton Heights School Bus Number 8 under the following circumstances.

I. PRELIMINARY OBSERVATION/REASON FOR STOP (check all that apply)

- ☒ I observed the accused operate a vehicle in my presence and view.
☒ Noah Chapman (Juvenile) and 22 other juveniles aboard the bus observed the accused operate a vehicle.
☒ I had reason to believe the accused operated the vehicle because: Janet Shaw admitted to operating school bus #8 before and after the crash.
☒ The accused committed the following violation(s): leaving the scene of a property damage accident causing injury, Reckless driving
☐ Passenger under age 18 pursuant to IC 9-30-5-3(2)
☒ Other: Transportation supervisor Chris Franklin advised that Janet Shaw was the driver of school bus #8 that was involved in the crash.
Crash Involved: ☒ Yes ☐ No Crash involved Local Crash Number: 2015-25167 Time of Crash: 07:15 ☒ am ☐ pm
☒ The accused admitted to being the driver involved in the crash.
☒ The result of the accused driving resulted in: ☐ serious bodily injury ☐ fatality
Name(s) of person(s) injured: Ava Bryant, Michael Overton, Taylor Miller, Seth Harris, Allyson Burtron, Abby Ross, Aliyah Dorsey-all juveniles

II. OBSERVATIONS

- I had reason to believe the accused was INTOXICATED because I observed the following:
- | | | | | |
|---|---|--|---------------------------------|-------------------------------------|
| <input type="checkbox"/> Odor of alcoholic beverage | <input type="checkbox"/> Left vehicle in gear | <input checked="" type="checkbox"/> HGN | Passed <input type="checkbox"/> | Failed <input type="checkbox"/> |
| <input type="checkbox"/> Alcohol beverage containers in view | <input type="checkbox"/> Failed to shut off vehicle | <input checked="" type="checkbox"/> Walk and Turn | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Speech was <u>Thick, slow</u> | <input type="checkbox"/> Could not open door | <input checked="" type="checkbox"/> One Leg Stand | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| <input checked="" type="checkbox"/> Eyes were <u>Glassy</u> | <input type="checkbox"/> Pulled self from vehicle | <input type="checkbox"/> Rhomberg Balance | <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> Manual dexterity | <input type="checkbox"/> Staggered from vehicle | <input checked="" type="checkbox"/> P.B.T./Alco-sensor 0.00 gram of alcohol per 210 liters of breath | | |
| <input type="checkbox"/> Abusive attitude | <input type="checkbox"/> Leaned against vehicle | <input checked="" type="checkbox"/> DRE Conclusion: <u>not impaired at the time of exam</u> | | |
| <input checked="" type="checkbox"/> Balance was <u>Poor and unsteady</u> | | Performed by: <u>Officer Chad Amos</u> | | |
| <input type="checkbox"/> Soiled/disorderly clothing | | | | |
| <input type="checkbox"/> Other observations/test: <u>When I observed Janet Shaw at the Transportation office her balance was unsteady as she stood up to introduce herself to me.</u> | | | | |
| <u>I asked Janet Shaw to go out a front door but she attempted to go out a side door that lead to a fenced in area. Janet Shaw has worked there approximately 15 years.</u> | | | | |

III. CHEMICAL TEST

- ☒ I advised the accused of the Implied Consent Law and the accused: ☒ submitted to, or ☐ refused a chemical test ☒ results are pending ☐ search warrant obtained
☐ I was unable to offer a chemical test to the accused because such person was: ☐ unconscious ☐ injured
☒ Jagen Arnold, a certified chemical test operator, determined from a chemical test that the accused had an alcohol concentration equivalent to .00 gram of alcohol per 210 liters of breath. The chemical test was administered at (location) Hamilton County Jail at 10:58 ☒ am ☐ pm using certified instrument number 011088
☐ I was told by _____ the result of the chemical test was an alcohol concentration equivalent to 0. _____ gram of alcohol per 100 milliliters of blood. Such test was administered by drawing or taking a sample of whole blood at _____ ☐ am ☐ pm. Drawn by: _____
☒ I was told by (name) Jana Dept. of Toxicology the result of the chemical test determined that the accused had in his/her body a controlled substance, a controlled substance metabolite, or a drug, to wit ***Pending***. Such test was administered by drawing or taking a sample of: ☒ blood, ☐ urine, ☐ other _____ at (location) Hamilton County Jail at (time) 12:07 ☐ am ☒ pm.
Drawn by: Teresa Jagers

IV. WITNESS INFORMATION (Only Print Witness Information on Officer and Prosecutor Copy.)

1. Name _____ Address _____ TX Number _____
2. Name _____ Address _____ TX Number _____

V. PREVIOUS INDIANA AND OUT OF STATE CONVICTION(S)

1. Offense, Court Information, Conviction Date and Court Cause/Case number.
2. Offense, Court Information, Conviction Date and Court Cause/Case number.

THE ACCUSED COMMITTED A VIOLATION OF IC 9-30-5, IC 14-15-8, or IC 31-37-19.

I AFFIRM PURSUANT TO IC 35-34-1-2.4 UNDER THE PENALTY OF PERJURY THAT THE FOREGOING FACTS ARE TRUE.

Signature of Affiant _____ Date (month, day, year) 9 / 21 / 2015 Print Name & Department Jimmy Pharis 1791

ORIGINAL TO PROSECUTOR/COURT 1ST COPY TO BMV FROM COURT 2ND COPY FOR OFFICER

Bureau of Motor Vehicles Certificate

COURT CAUSE/CASE NUMBER: _____ AGENCY CASE NUMBER: 2015-25167
Offense Date (month, day, year): 09 / 21 / 2015 Time: 07:31 ☒ am ☐ pm (DL number or last four digits of SSN) 8932-74-1669
Driver License Type: CDL Driver License State: IN
Full Name: (First) Janet (Middle Initial) K (Last) Shaw
Date of Birth: 09 / 26 / 1961 Gender: F Weight: 115 Height: 5'5" Eye Color: green Hair Color: blond Race: white
Address (number and street, city, state, and ZIP code): 12735 E 281st, St, Arcadia, IN 46030
Vehicle Type: ☐ Passenger ☐ CMV ☐ Hazmat ☒ Other: School Bus
The above Motorist: ☐ Refused ☐ Failed Alcohol Test 0. _____ BAC Drugs: ☐ Yes ☐ No ☒ Pending Results of Alcohol or Drug Test(s)

PROBABLE CAUSE FOUND THAT DEFENDANT VIOLATED IC 9-30-5 or IC 14-15-8 and charges are pending. THE COURT RECOMMENDS THAT THE BMV TAKE THE FOLLOWING ACTION ON DEFENDANT'S DRIVING PRIVILEGES:

- ☐ Immediate Suspension ☐ Suspend upon notice from the Bureau of Motor Vehicles ☐ Court Ordered Ignition Interlock Device in Lieu of Suspension

Judge's Signature: _____ Date (month, day, year): _____ / _____ / _____

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ADMPCAFF
Probable Cause Affidavit Filed
272301

